

U.S.S.N. 10/708,733

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04-0092 (BOE 0476 PA)

REMARKS

In the Final Office Action of January 4, 2005, claims 1-40 are pending. Claims 1-33 and 40 are allowed. Claims 34, 36, and 37 are herein amended. Claim 34 has been amended for clarification reasons. Remaining claims 35-39 depend from claim 34.

Claims 34-39 stand rejected under 35 U.S.C. 102(b) as being anticipated by Olliges et al. (USPN 6,659,225).

Amended claim 34 recites a method of accessing an overhead area of an aircraft. The method includes: opening an aircraft overhead module; releasing an overhead area access staircase system having multiple adjacently coupled stair segments with overlapping portions that rest upon each other when stowed; unfolding the overlapping portions; and ascending the stair segments.

The Office Action states that the stairs of Olliges both open and spread out and thus unfold. Whether this is true or not, Applicant submits that the steps 32a-c of Olliges are not adjacently coupled and do not have overlapping portions that rest upon each other when stowed. The steps 32a-c of Olliges are separated from each other and are attached to frame rails 32d and to panels 38. In other words adjacent sides of the steps 32a-c are not coupled to each other. Also, since the steps 32a-c of Olliges are separated they do not rest upon each other. See Figures 1-4 of the present application for sample adjacently coupled stair segments that overlap and rest upon each other when stowed.

In order for a reference to anticipate a claim the reference must teach or suggest each and every element of that claim, see MPEP 2131 and *Verdegrad Bros. V. Union Oil Co. of California*, 814 F.2d 628. Thus, Olliges fails to teach or suggest each and every element of claim 34, therefore, claim 34 is novel, nonobvious, and is in a condition for allowance. Since claims 35-39 depend from claim 34, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

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In light of the amendments and remarks, Applicant submits that all objections and rejections are overcome. The Applicant has added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, he is respectfully requested to call the undersigned attorney.

Respectfully submitted,

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